

REMARKS

Applicants have studied the Office Action dated January 13, 2005. It is submitted that the application, as previously amended, is in condition for allowance. Claims 1-23 remain pending. Reconsideration and allowance of the pending claims, in light of the following remarks, is respectfully requested.

In the Office Action, the Examiner:

- (1-2) rejected claims 1, 3-4, 7-8, 14, 16-17, 20 and 22-23 under 35 U.S.C. § 103(a) as being unpatentable over Gongwer, (U.S. Patent No. 6,138,120) in view of Gormley et al. (U.S. Patent No. 5,628,004); and
- (3) rejected claims 2, 5-6, 15, and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Gongwer, (U.S. Patent No. 6,138,120) in view of Gormley et al. (U.S. Patent No. 5,628,004) and further in view of Cullis (U.S. Patent No. 6,539,377).

(1-2) Rejection under 35 U.S.C. §103(a) Gongwer in view of Gormley et al.

As noted above, the Examiner rejected claims 1, 3-4, 7-8, 14, 16-17, 20 and 22-23 under 35 U.S.C. § 103(a) as being unpatentable over Gongwer, (U.S. Patent No. 6,138,120) in view of Gormley et al. (U.S. Patent No. 5,628,004).

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Independent claim 1 recites, *inter alia*:

A method of sharing queries in a hub processing unit coupled to a plurality of information processing units over a network, the method on the information processing unit comprising the steps of:

- receiving a **string** from a first user;
- determining if the string is a query, **if the string is a query** performing the sub-steps of:
 - storing the query** in a query database;
 - forwarding the query** to a hub processing unit in the event that the first user selects a query for sharing with a second user connected to the hub processing unit;
 - ... (emphasis added)

The present invention monitors and detects search strings while a user browses through a network. The invention determines if the search string is a query and, if so, stores the query for later presentation to other users in an integrated browser list window. If a user wishes to share queries with other users in a global database, he or she must select a query string for sharing in an integrated browser list window. The query is stored locally and forwarded across a communication network to a hub processing unit for permanent storage in a global database accessible by a plurality of users. Once stored in the global database, other users can benefit from the intelligence, work and experience of others by searching through categories of search queries as well as simply browsing through them. This is accomplished by a second user entering categorical data to his local graphical user interface which communicates with a search and retrieval program. The search and retrieval program returns a grouping or listing of headlines related to the category selected by the second user.

The invention of Gongwer differs greatly from the present invention. The purpose of Gongwer is to allow a user to capture and work with subsets of a database for long periods of time. While the user is analyzing or modifying the subset of data, that data on the database must be protected from modifications by other users. Therefore, Gongwer allows a *"client to run a query to specify the subset of data to be worked with."* Gongwer, col. 1, lines 48-49. **The subset of data is then stored in a "Workspace."** Gongwer, col. 3, lines 52-53. Other users are then granted permission to share and work with that subset of data in the *"Workspace"* **which is separate from the database.** Gongwer, col. 3, line 66 through col. 4, line 2. In this way, changes to the data are made in a single location and can then be saved back into the database to ensure uniformity.

It is essential to recognize that although Gongwer confusingly states that *"[a] preferred embodiment of the invention is a system which formally supports the sharing of session, query..."* (col. 1, lines 57-58) and *"[t]ypically, the resource being shared is a view of a*

database query..." (col 1, lines 65-66), Gongwer is not using the term "query" to refer to a **search string**, but is instead referring to the actual data. This distinguishing difference between the present invention and Gongwer is clarified in the detailed explanation in col. 3, line 40 through col 4, line 2 and shown in FIG. 1 of Gongwer. "[A]t least one server serves requests for database data 5 from a plurality of clients 30." Col. 3, lines 42-43. However, only the "[d]ata from the database 5 is stored in Workspaces 21..." Col. 3, lines 52-53. Once the **data** is stored in the Workspaces, "a plurality of client sessions can share a single Workspace. This permits multiple clients to share query **views** and uncommitted server data." Col. 3, line 66 through col. 4, line 2.

The sharing users in Gongwer have **no motivation to reuse search strings**, as is done in the present invention, because the data in Gongwer is already placed on the workspace and available to the sharing users. Reusing a search string would be pointless because it would return the data that is already in the workspace, and for at least that reason, is not taught or suggested in Gongwer.

Going further, the Examiner, on page 3 of the Office action, states that Gongwer discloses "forwarding the query to a hub processing unit..." and cites col. 9, line 60 through col. 10, line 25 of Gongwer. Throughout the specification of the instant application, the term "query" is defined and used to refer to a string of search terms. Gongwer only discloses sharing the "Workspace" with additional clients. As stated above, the Workspace of Gongwer contains only a subset of data from a database and **does not contain search strings**, or "queries", as is disclosed by the present invention. Therefore, Gongwer does not and cannot "forward the query to a hub processing unit" as is recited in claims 1, 14, and 22 of the instant application.

Clearly, Gongwer does not show **determining if a string is a query and, if the string is a query, storing the query in a query database, forwarding the query to a hub**

processing unit in the event that a first user selects a query for sharing with a second user connected to a hub processing unit, and receiving, from a second user, a selection for one of the stored queries for sharing in the database, as is recited in claim 1 of the instant application.

As the Examiner correctly stated on page 3 of the Office Action, "*Gongwer does not explicitly disclose a selection for one of the stored queries for sharing in the database*" and goes on to combine Gormley et al.¹ The Examiner recites 35 U.S.C. § 103. The Statute expressly requires that obviousness or non-obviousness be determined for the claimed subject matter as a whole and the key to proper determination of the differences between the prior art and the present invention is giving full recognition to the invention as a whole. Gongwer taken alone and/or in view of Gormley et al. simply does not teach or suggest **determining if a string is a query and, if the string is a query, storing the query in a query database, forwarding the query to a hub processing unit in the event that a first user selects a query for sharing with a second user connected to a hub processing unit, and receiving, from a second user, a selection for one of the stored queries for sharing in the database.**

Continuing further, when there is no suggestion or teaching in the prior art for that disclosed in the application, the suggestion can not come from the Applicants' own specification. As the Federal Circuit has repeatedly warned against using the Applicants' disclosure as a blueprint to reconstruct the claimed invention out of isolated teachings of the prior art. See MPEP §2143 and Grain Processing Corp. v. American Maize-Products, 840 F.2d 902, 907, 5 USPQ2d 1788 1792 (Fed. Cir. 1988) and In re Fitch, 972 F.2d 160, 12 USPQ2d 1780, 1783-84 (Fed. Cir. 1992).

¹ Applicants make no statement whether such combination is even proper.

Accordingly, it is believed to be clear that Gongwer, whether taken alone or in combination with Gormley et al., neither shows nor suggests the features of claim 1. Independent claims 14, and 22 recite the same limitations as does claim 1. Claims 3-4 and 7-8 depend from claim 1; claims 16, 17, and 20 depend from claim 14; and claim 23 depends from claim 22. Since dependent claims contain all the limitations of the independent claims, claims 3-4, 7-8, 16-17, 20, and 23 distinguish over Gongwer and Gormley et al., as well.

(3) Rejection under 35 U.S.C. §103(a) Gongwer in view of Gormley
and in further view of Cullis

As noted above, the Examiner rejected claims 2, 5-6, 15, and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Gongwer, (U.S. Patent No. 6,138,120) in view of Gormley et al. (U.S. Patent No. 5,628,004) and further in view of Cullis (U.S. Patent No. 6,539,377).

In the section entitled "(1-2) Rejection under 35 U.S.C. §103(a) Gongwer in view of Gormley et al." above, the claim elements of **"determining if a string is a query and, if the string is a query, storing the query in a query database, forwarding the query to a hub processing unit in the event that a first user selects a query for sharing with a second user connected to a hub processing unit, and receiving, from a second user, a selection for one of the stored queries for sharing in the database"**, of independent claims 1 and 14, absent from the Gongwer and Gormley et al. references, were discussed. Claims 2 and 5-6 depend directly from independent claim 1 and claims 15 and 18-19 depend directly from independent claim 14. As stated above, independent claims 1 and 19 distinguish over Gongwer and Gormley et al. Since dependent claims contain all the limitations of the independent claims, claims 2, 5-6, 15, and 18-19 distinguish over Gongwer and Gormley et al. as well.

Accordingly, the Applicants respectfully submit that it is not necessary at this stage to address the Cullis reference applied in the rejection of dependent claims 2, 5-6, 15, and 18-19, and whether or not there is sufficient suggestion or motivation with a reasonable expectation of success for modifying the references, as required by MPEP § 2143. The Applicants respectfully request that the Examiner's rejection of claims 2, 5-6, 15, and 18-19 be withdrawn.

CONCLUSION

The remaining cited references have been reviewed and are not believed to affect the patentability of the claims as amended.

In this Response, Applicants have amended certain claims. In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents.

Applicants acknowledge the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

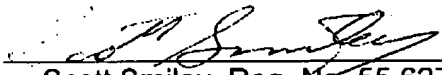
Applicants respectfully submit that all of the grounds for rejection stated in the Examiner's Office Action have been overcome, and that all claims in the application are allowable. No new matter has been added. It is believed that the application is now in

condition for allowance, which allowance is respectfully requested.

PLEASE CALL the undersigned if that would expedite the prosecution of this application.

Respectfully submitted,

Date: April 5, 2005

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